

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LEROY PETTYJOHN,	:	
	:	
Plaintiff,	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 13-CV-4190
JOHN E. WETZEL, ET AL.,	:	
	:	
Defendant.	:	

**ORDER**

AND NOW, this 10<sup>th</sup> day of March 2014, upon careful consideration of Leroy Pettyjohn's petition for writ of habeas corpus under 28 U.S.C. § 2254 (Doc. # 2, 4) and Amendment, the Commonwealth's response, the Magistrate Judge's Report and Recommendation, and petitioner's objections thereto, **IT IS HEREBY ORDERED** that:

1. Petitioner's objections are overruled;
2. The Report and Recommendation of Magistrate Judge Carol Sandra Moore Wells is Approved and Adopted;
3. The petition for writ of habeas corpus is **DISMISSED**;
4. Petitioner having failed to make a substantial showing of the denial of a constitutional right, there is no ground to issue a certificate of appealability; and
5. The Clerk shall **CLOSE** this case for statistical purposes.

/s/ William H. Yohn Jr.  
William H. Yohn Jr., Judge